

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Prior Application No: 09/142,471

Examiner: E. O'Hara

Art Unit: 1646

RECEIVED

FEB 22 2001

TECH CENTER 1600/2900

**REQUEST FORM FOR CONTINUING PROSECUTION**  
**APPLICATION UNDER 37 C.F.R. § 1.53(d)**

Assistant Commissioner for Patents  
Box CPA  
Washington, D.C. 20231

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 C.F.R. § 1.53(d) (Continuing Prosecution Application) of prior Application No. 09/142,471, filed on November 4, 1998, for CONJUGATE FOR MODIFYING INTERACTIONS BETWEEN PROTEINS by the following named inventor(s):

- (a) Full Name Stefan Rose-John
- (b) Full Name \_\_\_\_\_
- (c) Full Name \_\_\_\_\_

This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.53(d)(4), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:

- (a) Full Name \_\_\_\_\_
- (b) Full Name \_\_\_\_\_
- (c) Full Name \_\_\_\_\_

The above-identified prior application is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the



21839

drawings, as the basic papers for the new application. (Note: 37 C.F.R. § 1.53(b) must be used for applications where the prior application is not to be abandoned.)

It is understood that secrecy under 35 U.S.C. § 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 C.F.R. § 1.53(d) application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all other applications in the same file wrapper.

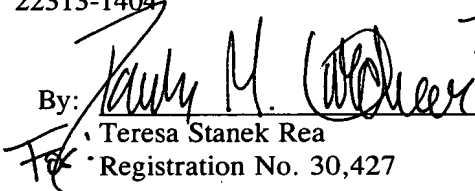
- ☐ Applicant(s) hereby requests that the above-captioned application **NOT BE PUBLISHED** under 35 U.S.C. § 122(b) and 37 C.F.R. § 1.211. The undersigned hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.
- ☐ Applicant(s) suggests Figure    for inclusion on the front page of the patent application publication and patent.
1. ☐ Applicant(s) requests suspension of action by the Office until at least   , which does not exceed three months from the filing of this CPA, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
2. ☐ Enter the amendment previously filed on    under 37 C.F.R. § 1.116, but unentered, in the prior application.
3. ☐ The election made previously in the prior application does not carry over to this application.
4. ☐ A preliminary amendment is enclosed.
5. ☒ Small entity status is hereby claimed.
6. ☒ The filing fee is calculated below on the basis of the claims existing in the prior application as amended at 1 and 3 above:

| C L A I M S  |                  |            |                 |                   |                 |
|--|------------------|------------|-----------------|-------------------|-----------------|
|  | NO. OF<br>CLAIMS |            | EXTRA<br>CLAIMS | RATE              | FEE             |
| Basic Application Fee  |                  |            |                 |                   | \$710.00 (101)  |
| Total Claims   | 10               | MINUS 20 = | -0-             | × \$18.00 (103) = | -0-             |
| Independent Claims   | 1                | MINUS 3 =  | -0-             | × \$80.00 (102) = | -0-             |
| If multiple dependent claims are presented, add \$270.00 (104)           |                  |            |                 |                   |                 |
| Total Application Fee  |                  |            |                 |                   | \$710.00        |
| If small entity status is claimed, subtract 50% of Total Application Fee |                  |            |                 |                   | \$355.00        |
| <b>TOTAL APPLICATION FEE DUE</b>   |                  |            |                 |                   | <b>\$355.00</b> |

7. ☒ This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.
8. ☒ Priority of Application No. 19608813.5, filed on March 7, 1996, in Germany (country) is claimed under 35 U.S.C. § 119.
- ☒ The certified copy of the priority application
- ☐ is enclosed
  - ☒ was filed in International Application No. PCT/DE97/00458, filed on March 7, 1997, and acknowledged in the Notification of Acceptance of Application Under 35 U.S.C. § 371.
  - ☐ has not yet been filed.
9. ☐ Also enclosed \_.
10. ☒ The power of attorney in the prior application is to Teresa Stanek Rea and other attorneys of the law firm Burns, Doane, Swecker & Mathis, L.L.P.
- a. ☒ The power appears in the original papers in the prior application.
  - b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
  - c. ☒ Recognize as Associate Attorney or Agent Dawn M. Gardner, Reg. No. 44,118.
  - d. ☒ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Teresa Stanek Rea  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404

Date: February 20, 2001

By:   
Teresa Stanek Rea  
Registration No. 30,427

ADDRESS OF SIGNATOR:

BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

- ☐ inventor(s)
- ☐ assignee of complete interest
- ☒ attorney or agent of record
- ☐ filed under 37 C.F.R. § 1.34(a)

# PATENT APPLICATION FEE DETERMINATION RECORD

Effective November 10, 1998

Application or Docket Number

09/142471

## CLAIMS AS FILED - PART I

(Column 1)

(Column 2)

| FOR                              | NUMBER FILED | NUMBER EXTRA |
|----------------------------------|--------------|--------------|
| BASIC FEE                        |              |              |
| TOTAL CLAIMS                     | minus 20 = * |              |
| INDEPENDENT CLAIMS               | minus 3 = *  |              |
| MULTIPLE DEPENDENT CLAIM PRESENT |              |              |

\* If the difference in column 1 is less than zero, enter "0" in column 2

## CLAIMS AS AMENDED - PART II

(Column 1)

(Column 2)

(Column 3)

| AMENDMENT A                                    |   | CLAIMS REMAINING AFTER AMENDMENT |       | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
|--|---|----------------------------------|-------|------------------------------------|---------------|
| Total  | * | 10                               | Minus | ** 20                              | = 0           |
| Independent                                    | * | 1                                | Minus | *** 3                              | = 0           |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM |   |                                  |       |                                    |               |

(Column 1)

(Column 2)

(Column 3)

| AMENDMENT B                                    |   | CLAIMS REMAINING AFTER AMENDMENT |       | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
|--|---|----------------------------------|-------|------------------------------------|---------------|
| Total  | * |                                  | Minus | **                                 | =             |
| Independent                                    | * |                                  | Minus | ***                                | =             |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM |   |                                  |       |                                    |               |

(Column 1)

(Column 2)

(Column 3)

| AMENDMENT C                                    |   | CLAIMS REMAINING AFTER AMENDMENT |       | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
|--|---|----------------------------------|-------|------------------------------------|---------------|
| Total  | * |                                  | Minus | **                                 | =             |
| Independent                                    | * |                                  | Minus | ***                                | =             |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM |   |                                  |       |                                    |               |

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

SMALL ENTITY TYPE ☐ OR

OTHER THAN SMALL ENTITY

| RATE   | FEE    |    | RATE   | FEE    |
|--------|--------|----|--------|--------|
|        | 380.00 | OR |        | 760.00 |
| X\$ 9= |        | OR | X\$18= |        |
| X39=   |        | OR | X78=   |        |
| +130=  |        | OR | +260=  |        |
| TOTAL  |        | OR | TOTAL  |        |

SMALL ENTITY OR

OTHER THAN SMALL ENTITY

| RATE             | ADDITIONAL FEE |    | RATE             | ADDITIONAL FEE |
|------------------|----------------|----|------------------|----------------|
| X\$ 9=           |                | OR | X\$18=           |                |
| X39=             |                | OR | X78=             |                |
| +130=            |                | OR | +260=            |                |
| TOTAL ADDIT. FEE |                | OR | TOTAL ADDIT. FEE |                |

| RATE             | ADDITIONAL FEE |    | RATE             | ADDITIONAL FEE |
|------------------|----------------|----|------------------|----------------|
| X\$ 9=           |                | OR | X\$18=           |                |
| X39=             |                | OR | X78=             |                |
| +130=            |                | OR | +260=            |                |
| TOTAL ADDIT. FEE |                | OR | TOTAL ADDIT. FEE |                |

| RATE             | ADDITIONAL FEE |    | RATE             | ADDITIONAL FEE |
|------------------|----------------|----|------------------|----------------|
| X\$ 9=           |                | OR | X\$18=           |                |
| X39=             |                | OR | X78=             |                |
| +130=            |                | OR | +260=            |                |
| TOTAL ADDIT. FEE |                | OR | TOTAL ADDIT. FEE |                |